

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

XOCKETS, INC.,	§
	§
<i>Plaintiff,</i>	§
	§
v.	§ No. 6:24-CV-00453-LS
	§
NVIDIA CORPORATION, MICROSOFT CORPORATION, and RPX CORPORATION,	§
	§
<i>Defendants.</i>	§
	§

MEMORANDUM OPINION AND ORDER ON VENUE DISCOVERY

After Defendant NVIDIA¹ moved to transfer venue in this case²—a motion which its co-defendants Microsoft and RPX joined³—Xockets moved for expedited venue discovery and modification of the briefing schedule.⁴ The Court stayed briefing on NVIDIA’s motion to transfer venue in the interim.⁵ Xockets’ motion for expedited venue discovery is GRANTED.

A trial court has “broad discretion in all discovery matters” which “will not be disturbed ordinarily unless there are unusual circumstances showing a clear abuse” of such discretion.⁶ Xockets argues that the defendants’ declarations supporting the transfer motion fail to paint a complete picture of each defendant’s respective ties to the Western District of Texas as they pertain to this case. It also argues that the defendants rely on non-public information that Xockets cannot review, including the location of employees and those employees’ roles.⁷ Because the Court finds

¹ The Court refers to the parties as Xockets (Plaintiff Xockets, Inc.), NVIDIA (Defendant NVIDIA Corporation), RPX (Defendant RPX Corporation), and Microsoft (Defendant Microsoft Corporation).

² See ECF No. 162.

³ See ECF Nos. 147 (Microsoft), 148 (RPX).

⁴ See ECF No. 160.

⁵ See ECF No. 155.

⁶ *Kelly v. Syria Shell Petroleum Dev.*, 213 F.3d 841, 856 (5th Cir. 2000).

⁷ See ECF No. 160 at 10–11.

that limited venue discovery will allow the parties to present a fully developed factual record, the Court grants Xockets' motion for expedited venue discovery.

Accordingly,

1. Xockets may serve five interrogatories and ten requests for production on each defendant, related to venue discovery, and each defendant shall have thirty days to respond.

2. Xockets may depose a Rule 30(b)(6) witness from each defendant, on venue discovery, for seven hours.

3. The defendants may obtain reciprocal venue discovery from Xockets, with the same parameters.

4. Venue discovery will conclude ten weeks from entry of this order on **July 21, 2025**.

Any request to extend venue discovery for good cause shall be made by **July 7, 2025**.

5. Xockets may supplement its response to the pending motion to transfer venue by **August 4, 2025**.

6. Each defendant shall file its reply in support of the motion to transfer venue by **August 18, 2025**.

SO ORDERED.

SIGNED and **ENTERED** on May 12, 2025.



LEON SCHYDLOWER
UNITED STATES DISTRICT JUDGE